

**McDERMOTT & RADZIK, LLP**

Wall Street Plaza

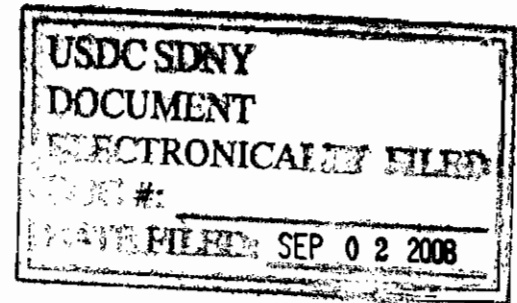
88 Pine Street

New York, New York 10005-1801

Telephone (212) 376-6400

Telecopier (212) 376-6488

Writer's Direct Number: (212) 376-6439

Email: [eradzik@mcdermotttradzik.com](mailto:eradzik@mcdermotttradzik.com)**MEMO ENDORSED**

August 27, 2008

Honorable Laura Taylor Swain  
United States District Judge  
United States District Court  
500 Pearl Street – Room 755  
New York, NY 10007-1312

RE: American Home Assurance Company a/s/o  
Furniture Brands International, Inc. v.  
*M.V. YM HAMBURG*, her engines, etc.; Hanjin  
Shipping Co., Ltd. and Yang Ming Transport Corp.  
08 Civ. 4599 (LTS) (DF)  
Our File: 7-07-7057 ECR

Dear Judge Swain:

We are attorneys for the Plaintiff, American Home Assurance Company in the above-entitled action.

This case is an admiralty action involving cargo loss and damage to a shipment of wood furniture, which was being transported under Defendant, Hanjin Shipping's bills of lading on Defendant Yang Ming Transportation Corp.'s vessel.

In accordance with your Honor's Initial Conference Order dated May 23, 2008, which we promptly sent to in-house counsel for both Defendants, we circulated a draft Preliminary Pre-Trial Statement. Attached is a copy of our letter dated August 12, 2008, addressed to designated counsel for both Defendants, together with our draft Preliminary Pre-Trial Statement.

We sent a follow-up to both counsel on August 26<sup>th</sup> reminding them that the completed Pre-Trial Statement should be filed no later than seven (7) days before the initial Pre-Trial Conference. We have been informed that counsel for Yang Ming is on vacation

McDermott & Radzik, LLP

Honorable Laura Taylor Swain

August 27, 2008

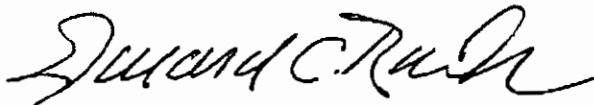
Page - 2 -

this week and is not expected to return to his office until Tuesday, September 2<sup>nd</sup>. Counsel for Hanjin informed us that they would be sending Hanjin's portions to insert into what we have already drafted today, but we have not yet received their input. The undersigned will be out of the office on Thursday, August 28<sup>th</sup> and Friday, August 29<sup>th</sup>, attending the wedding ceremony of one of his sons and his son's fiancée.

In view of all of the above, it does not seem possible that a completed Pre-Trial Statement can be submitted to your Honor by this Friday. Consequently, we respectfully request a one-week adjournment of the Pre-Trial Statement and a one-week adjournment of the Initial Pre-Trial Conference.

We thank you and your staff for your attention to our request.

Respectfully,



Edward C. Radzik

ECR:pf

cc: Freehill Hogan & Mahar, LLP  
80 Pine Street  
New York, NY 10005-1759  
Attention: Michael E. Unger, Esq.

Burke & Parsons  
100 Park Avenue - 30<sup>th</sup> Floor  
New York, NY 10017  
Attention: Keith W. Heard, Esq.

The conference is adjourned to  
September 12, 2008, at  
11:00 AM and the submission  
deadline is modified  
accordingly.

SO ORDERED.

NEW YORK, NY

Sept 2, 2008

  
LAURA TAYLOR SWAIN

UNITED STATES DISTRICT JUDGE